

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 61, “State Parks and Recreation Areas,” Iowa Administrative Code.

The proposed amendments:

1. Remove the Pine Lake multifamily cabin from the cabin rental fee list because the cabin will not be constructed; establish a new cabin rental fee for a new cabin being constructed at Union Grove State Park; and remove the extra cot fee as the Department does not provide cots anymore.
2. Remove the reference to the Pine Lake multifamily cabin regarding minimum stay requirements as the cabin will not be constructed.
3. Rescind the subrule regarding special events and adopt a new subrule regarding special event permits, which establishes procedures to obtain a permit, permit requirements and a nonrefundable administrative fee of \$25 to process a special event application.
4. Update the after-hours fishing area at Green Valley State Park.

Any interested person may make written suggestions or comments on the proposed amendments on or before June 22, 2010. Such written material should be directed to Sherry Arntzen, State Parks Bureau, Department of Natural Resources, 502 East Ninth Street, Wallace State Office Building, Des Moines, Iowa 50319-0034. Comments may be sent by fax to (515)281-6794 or by E-mail to Sherry.Arntzen@dnr.iowa.gov. Persons who wish to convey their views orally should contact Sherry Arntzen at (515)242-6233.

There will be a public hearing on June 22, 2010, at 2 p.m. in the Fourth Floor East Conference Room in the Wallace State Office Building, at which time persons may present their views orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources to advise of specific needs.

These amendments are intended to implement Iowa Code sections 461A.3, 461A.4, 461A.35, 461A.47, and 461A.57.

The following amendments are proposed.

ITEM 1. Amend the entry for Pine Lake State Park in paragraph 61.5(1)“a” as follows:

	<u>Per Night*</u>	<u>Per Week</u>
Pine Lake State Park, Hardin County		
Multifamily cabin	200	1200
Studio cabins (four-person occupancy limit)	65	390
One-bedroom cabins	75	450

ITEM 2. Adopt the following new entry for Union Grove State Park in paragraph 61.5(1)“a”:

	<u>Per Night*</u>	<u>Per Week</u>
Union Grove State Park, Tama County	75	450

ITEM 3. Strike the following entry in paragraph **61.5(1)“a”**:

	<u>Per Night*</u>	<u>Per Week</u>
Extra costs, where available	+	

ITEM 4. Amend subparagraph **61.5(3)“b”(3)** as follows:

(3) The multifamily ~~cabins~~ cabin at ~~Pine Lake and Springbrook State Parks~~ Park may be reserved for a minimum of two nights throughout the entire rental season with the following exceptions:

1. to 4. No change.

ITEM 5. Rescind subrule 61.7(16) and adopt the following **new** subrule in lieu thereof:

61.7(16) *Special event permits.* A permit issued by the department shall be required for any person or group that wishes to conduct a special event in any state park or recreation area.

a. Permit conditions. The department may impose special conditions not specifically covered herein for any special event if deemed necessary to protect the resource or ensure public safety. Special conditions will be included in the permit that the applicant or sponsoring organization receives if the application for the event is approved.

b. Application procedures. The following procedures shall be used when applying for a special event permit:

(1) The application shall be made on an electronic form which is accessed through the department’s online centralized special event application system.

(2) The application shall be received electronically by the department via the online centralized special events application system.

(3) Applications shall be accepted beginning January 1 in a given year for requested event dates extending to March 1 of the following year and shall not be accepted later than 30 days prior to the requested date for the event.

(4) The number of special events at any one state park or recreation area during a given day may be restricted if deemed necessary to avoid congestion with the public or competing events.

(5) Submission of an application does not guarantee issuance of a permit by the department.

(6) Permits are not transferable.

c. Nonrefundable fees. A nonrefundable administrative fee of \$25 shall be charged for processing each special event application. The administrative fee shall be waived for special event applications submitted by friends groups as defined in 571—14.1(461A).

d. Insurance. Applicants for special events shall provide proof of liability insurance naming the applicant and the department as an additional insured. Insurance information shall be available at the time the application is submitted. The insurance requirement shall be waived for friends groups as defined in 571—14.1(461A).

e. Concessions. If the state park or recreation area has a concessionaire on site, sales of food and other items shall be governed pursuant to 571—Chapter 14. If a concessionaire chooses not to provide services during the event, the event sponsor may then bring in other concession operations as approved by the department.

f. Friends groups. Friends groups as defined in 571—14.1(461A) shall be exempt from the requirements in paragraphs 61.7(16)“c” and “d.”

g. Exclusive use. Issuance of a special event permit does not imply that the permittee has exclusive use of an area unless a facility has been reserved pursuant to 571—61.3(461A) and 571—61.6(461A).

h. Other permits. A person or group holding an event subject to a special event permit issued under this subrule and subject to a permit issued under Iowa Code section 321G.16, 462A.16, or 481A.22 shall be required to obtain only one permit which includes requirements and conditions set forth in this subrule, 571—Chapter 44, 571—Chapter 88 and Iowa Code section 481A.22.

ITEM 6. Rescind subrule 61.11(6) and adopt the following **new** subrule in lieu thereof:

61.11(6) *Green Valley State Park, Union County.* The shoreline adjacent to Green Valley Road commencing at the intersection of Green Valley Road and 130th Street and continuing south along the

shoreline to the parking lot on the east side of the dam, and then west along the dam embankment to the shoreline adjacent to the parking lot on the west side of the spillway.